

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Delaware

BAYER INTELLECTUAL PROPERTY GMBH, et al.,

Plaintiff(s)

v.

CAP IM SUPPLY, INC.

Defendant(s)

Civil Action No.

17-591

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* CAP IM Supply, Inc.
c/o Corporation Service Company
2711 Centerville Road
Suite 400
Wilmington, DE 19808

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jack B. Blumenfeld
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

MAY 23 2017

Date:

CLERK OF COURT



Signature of Clerk or Deputy Clerk

Civil Action No. 17-591

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* CAP IM Supply, Inc.
 was received by me on *(date)* 05/23/2017.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Corporation Service Company, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
CAP IM Supply, Inc. on *(date)* 05/23/2017; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 05/23/2017

Joseph M. Danko
 Server's signature

JOSEPH M. DANKO
 Printed name and title

800 North King Street
Suite 102
Wilmington, DE 19801
 Server's address

Additional information regarding attempted service, etc: